

**Introduced by Senator Chesbro**  
(Principal coauthor: Assembly Member Evans)

February 21, 2006

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An act to amend Section 23356.1 of the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

SB 1362, as introduced, Chesbro. Alcoholic beverages: winegrower's license.

The Alcoholic Beverage Control Act authorizes a person issued a winegrowers license to conduct winetastings either on or off the winegrower's premises. The act provides that when a winetasting is held off the winegrower's premises at an event sponsored by a private nonprofit organization, as defined, no wine may be sold, and no sales or orders solicited, except as provided.

This bill would expand the definition of a nonprofit organization to include specified tax-exempt organizations.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 23356.1 of the Business and
- 2 Professions Code is amended to read:
- 3 23356.1. (a) A winegrower's license also authorizes the
- 4 person to whom issued to conduct winetastings of wine produced
- 5 or bottled by, or produced and packaged for, the licensee, either
- 6 on or off the winegrower's premises. When a winetasting is held
- 7 off the winegrower's premises at an event sponsored by a private
- 8 nonprofit organization, no wine may be sold, and no sales or

1 orders solicited, except that orders for the sale of wine may be  
2 accepted by the winegrower if the sales transaction is completed  
3 at the winegrower's premises. For purposes of this subdivision,  
4 "private nonprofit organization" means an organization described  
5 in Section 23701a, 23701b, 23701d, 23701e, 23701f, 23701g,  
6 23701i, 23701k, 23701l, 23701r, or 23701w of the Revenue and  
7 Taxation Code.

8 (b) Notwithstanding any other provisions of this division, a  
9 winegrower who, prior to July 1, 1970, had, at his or her  
10 premises of production, sold to consumers for consumption off  
11 the premises domestic wine other than wine which was produced  
12 or bottled by, or produced and packaged for, the licensee, and  
13 which was not sold under a brand or trade name owned by the  
14 licensee, and who had, prior to July 1, 1970, conducted  
15 winetastings of the domestic wine at his or her licensed premises,  
16 is authorized to continue to conduct the winetasting and selling  
17 activities at the licensed premises.

18 (c) A winegrower who was licensed as such prior to July 1,  
19 1954, and who prior to July 1, 1970, had, at his or her licensed  
20 premises, sold to consumers for consumption off the premises,  
21 wine packaged for and imported by him or her, and who  
22 conducted winetastings of the wines at his or her licensed  
23 premises, may continue to conduct the winetasting and selling  
24 activities at the licensed premises.

25 (d) The department may adopt the rules as it determines to be  
26 necessary for the administration of this section.